



SAMUEL ROSENTHAL (SR 9717)
CURTIS, MALLET-PREVOST, COLT & MOSLE, LLP
101 Park Avenue
New York, New York 10178-0061
(212) 696-6000

Attorneys for Defendant
Laborers International Union of North America
and Raymond Pocino

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X
RICHARD ELLO,	:
	:
Plaintiff	:
	:
Against	: Case No. 05 CV 9625 (KMK)
	:
ISHRI SINGH, et al.	: <u>NOTICE OF MOTION TO</u>
	: <u>APPEAR PRO HAC VICE</u>
Defendant(s)	:
-----	X

PLEASE TAKE NOTICE that upon the annexed affidavits of Michael S. Bearse and Samuel Rosenthal, defendants Laborers International Union of North America ("LIUNA"), and Raymond Pocino will move this Court before the Honorable Kenneth M. Karas United States District Judge, Southern District of New York, at the United States Courthouse, 500 Pearl Street, Courtroom 21D, New York, New York 10001, on a date to be determined by the Court, for an Order pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern District of New York allowing the admission pro hac vice of Michael Bearse, General Counsel of the Laborers' International Union of North America, as attorney for Defendant Laborers International Union of North America and Raymond Pocino in this case for all purposes.

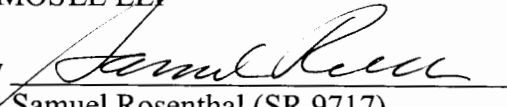
FILED
2006 FEB 28 PM 2:13
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Dated: February 27, 2006
New York, New York

Respectfully submitted,

CURTIS, MALLETT-PREVOST, COLT
MOSLE LLP

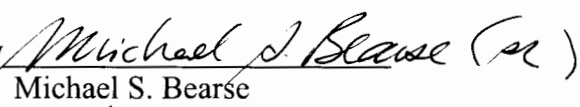
By


Samuel Rosenthal (SR 9717)
101 Park Avenue
New York, New York 10178-0061
(212) 696-6000

- and -

Laborers' International Union of North
America

By


Michael S. Bearse
905 16th Street, NW
Washington, DC 20006

Attorneys for Defendant
Laborers International Union of North
America and Raymond Pocino

cc: All counsel of record

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
RICHARD ELLO,

Plaintiff

Against

ISHRI SINGH, et al.

Defendant(s)
----- X

Case No. 05 CV 9625 (KMK)

AFFIDAVIT IN SUPPORT OF
MOTION TO APPEAR PRO
HAC VICE

State of New York)


) ss:

County of New York)

Samuel Rosenthal, being duly sworn, hereby deposes and says as follows:

1. I am a partner with the firm of Curtis, Mallet-Prevost, Colt & Mosle, LLP.
2. I submit this affidavit in support of the motion by Michael S. Bearse for admission to practice pro hac vice in the above captioned matter. I am familiar personally with Mr. Bearse, as I have participated in matters with him previously. Both by reputation and personal experience, I know the applicant to be an attorney of the highest character, competence and experience, and am confident that he will conduct himself accordingly before this Court.
3. As shown in the Certificate(s) of Good Standing annexed to the Affidavit of Mr. Bearse he is a member in good standing of the Bar of the State of Massachusetts, Connecticut and the District of Columbia.
4. There are no pending disciplinary proceedings against him in any State or Federal court.

5. Wherefore your affiant respectfully submits that Mr. Bearse be permitted to appear as counsel and advocate pro hac vice in this one case.

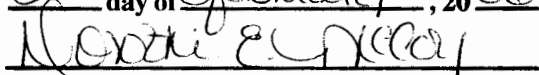

Samuel Rosenthal

CURTIS, MALLET-PREVOST, COLT &
MOSLE, LLP
101 Park Ave.,
New York, New York 10178
(212)-696-6987

DISTRICT OF COLUMBIA

ss:

Subscribed and sworn to before me this

27 day of February, 2006

Dorothe E. McCoy, Notary Public

DOROTHI E. McCOY
Notary Public, District of Columbia
My Commission Expires June 14, 2010

Dated: February 17, 2006

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICHARD ELLO,)	
)	
Plaintiff)	
)	
Against)	Case No. 05 CV 9625 (KMK)
)	
ISHRI SINGH, et al.,)	AFFIDAVIT IN SUPPORT
)	OF MOTION TO APPEAR
)	PRO HAC VICE
)	
Defendant(s))	
)	

Michael S. Bearse, being duly sworn, hereby deposes and says as follows:

1. I am General Counsel of the Laborers' International Union of North America, located at 905 16th Street, NW, Washington, DC 20006.
2. I submit this affidavit in support of my motion for admission to practice *pro hac vice* in the above captioned matter.
3. As shown in the Certificates of Good Standing annexed hereto, I am a member in good standing of the Bar of the Commonwealth of Massachusetts, the District of Columbia, and the State of Connecticut.
4. There are no pending disciplinary proceedings against me in any State or Federal Court.
5. I am familiar with the local rules governing this matter.
6. Wherefore your affiant respectfully submits that he be permitted to appear as counsel and advocate *pro hac vice* in this one case.


MICHAEL S. BEARSE

City of Providence

State of Rhode Island

The foregoing instrument was acknowledged before me this 17th day of February, 2006 by



Notary Public

My commission expires: October 8, 2009

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on the twenty-fifth day of April A.D. 1973, said Court being the highest Court of Record in said Commonwealth:

Michael S. Bearse

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court*.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court, this thirty-first day of January in the year of our Lord two thousand and six.




MAURA S. DOYLE, Clerk

* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D. C. 20001
202 / 879-2710

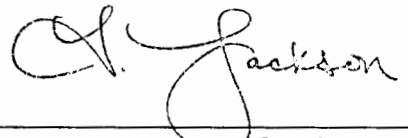
I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

MICHAEL S. BEARSE

was on the 6TH day of NOVEMBER, 1998
duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this
Court at the City of
Washington, D.C., on
February 1, 2006.

GARLAND PINKSTON, JR., CLERK

By: 
Deputy Clerk



State of Connecticut
Supreme Court

I, Michele T. Angers, Chief Clerk of the Supreme Court of the State of Connecticut and keeper of the Seal thereof,

Do hereby certify that, in the Superior Court at _____ *New Haven* _____,
on the _____ *twenty-second* _____ *, day of* _____ *September* _____,
1970 _____,

Michael Bearse

of

East Walpole, Massachusetts

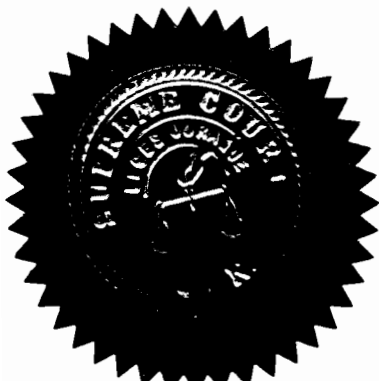
having been examined and found duly qualified, was sworn as an attorney and admitted to practice before all the courts of this state, that said attorney is a member in good standing of the Bar of this State pursuant to Practice Book §2-65.

In Testimony Whereof, I have hereunto set my hand and affix the Seal of the Supreme Court of the State of Connecticut, at Hartford, this _____ *second* _____ *day of*
February _____ *, 2006* _____.

Michele T. Angers

Michele T. Angers

Chief Clerk



AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Joseph F. Clyne, being duly sworn, deposes and says:

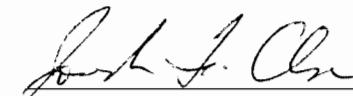
1. I am an attorney admitted to practice before this Court and employed by Curtis, Mallet-Prevost, Colt & Mosle, LLP.

2. On February 28, 2006, a copy of the attached document was served by United States mail upon:

Ruth Marie Pollack, Esq.
Plaintiff's Attorney
250 Old Country Road, Suite 504
Mineola, New York 11501

Deidre Ann Grossman, Esq.
Proskauer Rose LLP
Attorneys for Fund Defendants
1585 Broadway
New York, New York 10036; and

Terrance G. Reed, Esq.
Lankford, Coffield & Reed, PLLC
Attorneys for Defendant
Laborers International Union of North America
and Pocino
120 North St. Asaph Street
Alexandria, VA 22314



Joseph F. Clyne

Notary Public

JACQUELINE T. DIMARCO
Notary Public, State of New York
No. 31-4841199
Qualified in New York County
Commission Expires Oct. 31, 2009